

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

STATION 6, LLC

CIVIL ACTION

VERSUS

NO. 20-1371

CERTAIN UNDERWRITERS AT  
LLOYD'S, LONDON

SECTION "R" (5)

**ORDER**

Before the Court is plaintiff's motion to stay<sup>1</sup> pending a decision by the Joint Panel on Multi-District Litigation ("JPML"), on whether to centralize this action with other similar actions against Certain Underwriters at Lloyd's, London for coordinated pretrial proceedings. *See In re COVID-19 Business Interruption Protection Ins. Litig.*, MDL Case Number 2942. On August 12, 2020, the JPML ordered the parties in these actions to show cause why the actions should not be centralized in a single court for coordinated pretrial proceedings. *Id.* For the following reasons, the Court grants the motion to stay.

"Courts frequently grant stays in cases when an MDL decision is pending." *Cajun Offshore Charters, LLC v. BP Prod. N. Am., Inc.*, No. 10-

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<sup>1</sup> See R. Doc. 12.

1341, 2010 WL 2160292, at \*2 (E.D. La. May 25, 2010). When determining whether to stay proceedings, courts “must weigh competing interests and maintain an even balance.” *Landis v. North American Co.*, 299 U.S. 248, 254-55 (1936). Courts in this district generally consider three factors: “(1) potential prejudice to the non-moving party; (2) hardship and inequity to the moving party if the action is not stayed; and (3) the judicial resources that would be saved by avoiding duplicative litigation if the cases are in fact consolidated.” *Louisiana Stadium & Exposition Dist. v. Fin. Guar. Ins.*, No. 09-235, 2009 WL 926982, at \*1 (E.D. La. Apr. 2, 2009) (citing *Weisman v. Southeast Hotel Prop. Ltd. Partnership*, 1992 WL 131080, at \*6 (S.D.N.Y. 1992)). Each of these three factors weigh in favor of the stay.

First, the defendant will not be prejudiced by a brief delay of these proceedings. *See Gulf Crown Seafood, Inc. v. BP, PLC, et al.*, No. 10-1344, 2010 WL 11707509, at \*2 (E.D. La. June 2, 2010) (“District courts have granted motions to stay after finding that the plaintiff would not be prejudiced by a slight delay.” (collecting cases)). “A delay of a few months . . . is, nonetheless, slight when compared to the hardship to [the moving party] and the interests of judicial economy.” *Id.* Here, the show-cause briefing deadlines extend through September 2, 2020, suggesting that any delay will

be brief. *In re COVID-19 Business Interruption Protection Ins. Litig.*, MDL Case Number 2942.

Second, courts have found “hardship and inequity” when parties are forced to litigate multiple suits in multiple courts, subjecting them to the potential of inconsistent rulings. *See Falgoust v. Microsoft Corp.*, No. 00-0779, 2000 WL 462919, at \*2 (E.D. La. Apr. 19, 2000). This could occur here, given that defendant’s motion to dismiss is pending before this Court.<sup>2</sup>

Third, a brief stay of these proceedings will preserve judicial resources “by avoiding duplicative litigation if the cases are in fact consolidated.” *Gulf Crown Seafood, Inc.*, 2010 WL 11707509, at \*1.

It is ORDERED that all proceedings in this case are STAYED, pending a decision of the JPML.

New Orleans, Louisiana, this 13th day of August, 2020.

  
SARAH S. VANCE  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup> See R. Doc. 11.